

REMARKS

After the foregoing amendment, claims 33-38 are pending in the application. Claims 1-32 have been canceled. Applicants submit that no new matter has been added to the application by the Amendment.

The Present Invention

According to the present invention, as described starting at page 66 of the application and as shown in Fig. A (attached), an ID code which has been previously recorded on a recording medium and is unique to the recording medium, is read out from the recording medium and used to encrypt data whereupon the encrypted data is recorded on the recording medium. This arrangement has the advantage that a recording machine can, in a recording mode, automatically read the unique ID code and automatically encrypt the data to be recorded, and in a reproducing mode, automatically read the unique ID and decrypt the data stored on the recording medium. Thus, the recording and the reproducing of the data can be accomplished without any reference to an external key or by any step by the user. Also the management of the ID used to encrypt and decrypt the data is not necessary. This feature is very useful where the recording and the reproducing are carried out frequently such as in a hospital or a bank. Furthermore, if someone makes a disc copy, the copied data written on the other disc can not be read because each disc has a unique ID. Thus the security of the data can be managed at a high level.

Rejection - 35 U.S.C. § 102

The Examiner rejected claims 33 and 36 under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 5,857,021 (Kataoka). Applicants respectfully traverse the rejection.

Claim 33 recites:

33. *A recording method for recording data on a recording medium, said recording medium having a unique ID recorded thereon, the recording method comprising:*
reading the unique ID from the recording medium;
encrypting the data using the unique ID to generate an encrypted
data; and
recording the encrypted data on the recording medium.

Kataoka discloses a security system for protecting information stored on a portable storage medium. As described at col. 6, line 64 to col. 7 line 26, and shown in Fig. B attached, a medium containing an ID 121, corresponding to the unique ID of the present invention, is previously recorded on the storage medium (col. 6, lines 64-67). The ID is reproduced from the medium to encrypt in a first encrypting means 107 an externally provided encryption key 106. A second encryption means 108 is used to encrypt the data with the encryption key 106 independently of the ID reproduced from the recording medium. Thus, the ID reproduced from the recording medium is not used to encrypt the data, as recited in claims 33 and 36, but is used to encrypt an encryption key 106 (col. 7, lines 23-24).

In general, the encryption is used to improve the security of the data recorded on the medium. Thus, the encryption key should be stored such that it is not easily accessible by an unauthorized person. In the system disclosed by Kataoka et al., the encryption key 106 is stored external to the recording medium and thus is more easily accessible to an unauthorized person. Further, the encryption key 106 is determined individually (col. 8, line 4). Consequently, the encryption of data in the system disclosed by Kataoka et al. is not performed automatically as is the encryption performed by the present invention. Advantageously, the present invention uses a simplified process of encryption and decryption of the data recorded and reproduced from the recording medium and provides a system of high security at low cost.

Applicants submit that because Kataoka et al. uses the ID reproduced from the recording medium to encrypt an encryption key and does not encrypt the data to be recorded on the medium, as recited in claims 33 and 36, Kataoka et al. does not anticipate claims 33 and 36. Accordingly, Applicants respectfully request reconsideration and withdrawal of the §102 rejection of claims 33 and 36.

Rejection 35 USC § 103

The Examiner rejected claims 34, 35, 37 and 38 under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 5,857,021 (Kataoka) in view of U.S. Patent No. 6,272,740 (Teshima et al.). Applicants respectfully traverse the rejection.

Claims 33 and 34 depend from claim 33 and claims 37 and 38 depend from claim 36. Claims 33 and 36 are allowable because Kataoka does not teach or suggest encrypting data using an ID reproduced from media on which the data is to be recorded of from the medium from

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which the data is to be reproduced. Teshima et al. does not make up for this deficiency.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 103 rejection of claims 34, 35, 37 and 38.

Conclusion

Insofar as the Examiner's objections and rejections have been fully addressed, the instant application, including new claims 33-38, is in condition for allowance and Notice of Allowability of claims 33-38 is therefore earnestly solicited.

Respectfully submitted,

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(Date)

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